

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK RYAN, #113605,

Plaintiff,

v.

CASE NO. 5:11-CV-14353
HONORABLE JOHN CORBETT O'MEARA

TIM DONNELLON, et al.,

Defendants.

OPINION AND ORDER OF DISMISSAL

The Court has before it Plaintiff Mark Ryan's *pro se* civil rights complaint brought pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate at the St. Clair County Jail in Port Huron, Michigan. At the time he filed his complaint, Plaintiff did not pay the required \$350.00 filing fee, nor submit a proper application to proceed without prepayment of the filing fee. *See* 28 U.S.C. § 1915(a)(2); *McGore v. Wigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997). Consequently, the Court issued a deficiency order requiring Plaintiff to either pay the filing fee or submit a properly completed *in forma pauperis* application within 30 days – by November 22, 2011. The order provided that if Plaintiff did not submit either the fee or the proper application within that time, his case would be dismissed. Plaintiff has failed to correct the deficiency within the allotted time for doing so. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** his civil rights complaint.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: December 9, 2011

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 9, 2011, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager